

EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 439

FUNDING SUMMARY

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$367.6 million from the General Fund and 6,051.9 FTE positions for FY 2004. This is an increase of \$9.6 million and 17.0 FTE positions compared to the FY 2003 estimated net General Fund appropriation. Salary adjustment funding of \$5.7 million was provided from non-General Fund sources for FY 2003. Of this salary adjustment total, \$5.7 million has been included in the General Fund appropriations for FY 2004.
- Appropriates a total of \$10.0 million from the General Fund and 257.5 FTE positions to the Department of Justice. This is an increase of \$167,000 and 3.0 FTE positions compared to the FY 2003 estimated net General Fund appropriation. (Page 1, Line 7 through Page 5, Line 22)
- Appropriates a total of \$251.2 million from the General Fund and 4,136.5 FTE positions to the DOC. This is an increase of \$8.5 million and 11.5 FTE positions compared to the FY 2003 estimated net General Fund appropriation. Major changes include:
 - Institutions: Increases the appropriation by \$4.8 million and 14.4 FTE positions. The change includes:
 - An increase of \$2.8 million to fund FY 2003 salary adjustment from the General Fund in FY 2004. (Page 5, line 32 through Page 7, Line 28)
 - An increase of \$2.1 million and 30.9 FTE positions to annualize the operating costs of the new, 200-bed Clinical Care Unit at the Iowa State Penitentiary at Fort Madison. (Page 5, Line 32)
 - Administration: Increases the appropriation for the Corrections Education Program by \$900,000. (Page 10, Line 10)
 - Community-Based Corrections (CBC): Increases the appropriation by \$2.7 million and decreases FTE positions by 2.9. The change includes:
 - An increase of \$1.1 million to fund FY 2003 salary adjustment from the General Fund in FY 2004. (Page 13, Line 7 through Page 14, Line 19)
 - An increase of \$1.0 million to partially fund the FY 2003 salary adjustment shortfall. (Page 13, Line 7 through Page 14, Line 19)
- Appropriates a total of \$36.2 million from the General Fund and 202.0 FTE positions to the Office of the State Public Defender. This is an increase of \$360,000 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. (Page 16, Line 26 through Page 16, Line 34)
- Appropriates \$1.0 million from the General Fund and 30.1 FTE positions to the Iowa Law Enforcement Academy. This is an increase of \$27,000 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. (Page 17, Line 20)

EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 439

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- Appropriates a total of \$1.0 million from the General Fund and 16.5 FTE positions to the Board of Parole. This is an increase of \$53,000 and 0.5 FTE position compared to the FY 2003 estimated net General Fund appropriation. (Page 18, Line 13)
- Appropriates a total of \$6.1 million from the General Fund and 323.3 FTE positions to the Department of Public Defense. This is an increase of \$101,000 and 8.0 FTE positions compared to the FY 2003 estimated net General Fund appropriation. (Page 19, Line 1 and Page 19, Line 12)
- Appropriates a total of \$60.7 million from the General Fund and 953.0 FTE positions to the Department of Public Safety. This is an increase of \$1.1 million and 1.0 FTE position compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$1.2 million in other funds in FY 2004 compared to the FY 2003 estimated net General Fund appropriation which will be made up with Operating While Intoxicated (OWI) incentive money. (Page 20, Line 12 through Page 23, Line 10)

STUDIES AND INTENT LANGUAGE

- Department of Justice:
 - Requires the Department to maintain a record of the estimated time incurred representing each agency or department. (Page 1, Line 17)
 - Requires the Department to report the actual costs and an estimate of the time incurred enforcing the Iowa Competition Law and the Iowa Consumer Fraud Law to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Fiscal Bureau (LFB) by November 15, 2003. (Page 1, Line 22 through Page 2, Line 32)
- Department of Corrections:
 - Requires the DOC to increase produce gardening by inmates and file a report by December 1, 2003. (Page 11, Line 27)
 - Requires the DOC and CBC District Departments to develop an agency strategic plan for treatment programs and file a report by December 15, 2003. (Page 12, Line 12)
 - Permits the DOC to exceed the FTE limitation to alleviate staff shortages caused by members of the Iowa National Guard or Reserve being called up for active military duty. (Page 12, Line 29)
- Extends the lease between Iowa State University and the Fire Service Training Bureau until July 1, 2010. (Page 23, Line 33)
- Continues funding of \$200,000 to the Emergency Management Division from the Wireless E-911 Emergency Communications Fund for administration of the E-911 Program. (Page 24, Line 17)

SIGNIFICANT CHANGES TO THE CODE OF IOWA

EXECUTIVE SUMMARY
JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 439

EFFECTIVE DATE

- Specifies that Section 17 of this Act allows for continued funding of the Emergency Management Division from the Wireless E-911 Emergency Communications Fund takes effect upon enactment. (Page 25, Line 21)

ENACTMENT DATE

- The Act was approved by the General Assembly on May 1, 2003, and was signed by the Governor on May 23, 2003.

Senate File 439

Senate File 439 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
5	7	2	Nwthstnd	Sec. 8.33	Nonreversion of Contingent Appropriation from the Environmental Crime Fund
8	5	4.2(a)	Nwthstnd	Sec. 8.33	Nonreversion of Inmate Tort Claims Fund
10	13	5.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of Inmate Education Appropriation
12	29	5.7	Nwthstnd	Sec. 5, Senate File 439	Full Time Equivalent Position Allowance
19	29	13.2	Nwthstnd	Sec. 8.33 or 8.39	Nonreversion of ICN Funds
23	6	14.8	Nwthstnd	Sec. 8.33	Nonreversion of Volunteer Fire Fighter Training Grants
23	33	16	Amends	Sec. 100B.9	Lease Extension for the Fire Service Training Bureau
24	17	17	Amends	Sec. 15.2, Chapter 1101, 1998 Iowa Acts	Continued Funding for the Emergency Management Division

1 1 Section 1. DEPARTMENT OF JUSTICE.
 1 2 1. There is appropriated from the general fund of the
 1 3 state to the department of justice for the fiscal year
 1 4 beginning July 1, 2003, and ending June 30, 2004, the
 1 5 following amount, or so much thereof as is necessary, to be
 1 6 used for the purposes designated:

1 7 For the general office of attorney general for salaries,
 1 8 support, maintenance, miscellaneous purposes including the
 1 9 prosecuting attorney training program, victim assistance
 1 10 grants, office of drug control policy (ODCP) prosecuting
 1 11 attorney program, legal services for persons in poverty grants
 1 12 as provided in section 13.34, odometer fraud enforcement, and
 1 13 for not more than the following full-time equivalent
 1 14 positions:
 1 15 \$ 7,271,979
 1 16 FTEs 208.50

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy Prosecuting Attorney Program, and Legal Services Grants.

DETAIL: This is an increase of \$111,364 and 3.00 FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$111,364 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$111,364 to fund the FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of 3.00 FTE positions funded from federal funds from the U.S. Department of Justice for Multidisciplinary Family Violence Response Teams.

1 17 It is the intent of the general assembly that as a
 1 18 condition of receiving the appropriation provided in this
 1 19 subsection, the department of justice shall maintain a record
 1 20 of the estimated time incurred representing each agency or
 1 21 department.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

1 22 2. In addition to the funds appropriated in subsection 1,
 1 23 there is appropriated from the general fund of the state to
 1 24 the department of justice for the fiscal year beginning July
 1 25 1, 2003, and ending June 30, 2004, an amount not exceeding
 1 26 \$200,000 to be used for the enforcement of the Iowa

Contingent General Fund appropriation to the Department of Justice for the enforcement of the Iowa Competition Law. The appropriation is contingent upon the receipt of damages due to anti-trust lawsuits and is limited to \$200,000. Requires the Department of Justice to report the Department's actual costs and an estimate of the time incurred to enforce the Iowa Competition Law to the Chairpersons and

1 27 competition law. The funds appropriated in this subsection
 1 28 are contingent upon receipt by the general fund of the state
 1 29 of an amount at least equal to the expenditure amount from
 1 30 either damages awarded to the state or a political subdivision
 1 31 of the state by a civil judgment under chapter 553, if the
 1 32 judgment authorizes the use of the award for enforcement
 1 33 purposes or costs or attorneys fees awarded the state in state
 1 34 or federal antitrust actions. However, if the amounts
 1 35 received as a result of these judgments are in excess of
 2 1 \$200,000, the excess amounts shall not be appropriated to the
 2 2 department of justice pursuant to this subsection. The
 2 3 department of justice shall report the department's actual
 2 4 costs and an estimate of the time incurred enforcing the
 2 5 competition law, to the cochairpersons and ranking members of
 2 6 the joint appropriations subcommittee on the justice system,
 2 7 and to the legislative fiscal bureau by November 15, 2003.

Ranking Members of the Justice System Appropriations
 Subcommittee and the Legislative Fiscal Bureau (LFB) by November
 15, 2003.

DETAIL: Maintains the current level of contingent funding.

2 8 3. In addition to the funds appropriated in subsection 1,
 2 9 there is appropriated from the general fund of the state to
 2 10 the department of justice for the fiscal year beginning July
 2 11 1, 2003, and ending June 30, 2004, an amount not exceeding
 2 12 \$1,125,000 to be used for public education relating to
 2 13 consumer fraud and for enforcement of section 714.16, and an
 2 14 amount not exceeding \$75,000 for investigation, prosecution,
 2 15 and consumer education relating to consumer and criminal fraud
 2 16 against older Iowans. The funds appropriated in this
 2 17 subsection are contingent upon receipt by the general fund of
 2 18 the state of an amount at least equal to the expenditure
 2 19 amount from damages awarded to the state or a political
 2 20 subdivision of the state by a civil consumer fraud judgment or
 2 21 settlement, if the judgment or settlement authorizes the use
 2 22 of the award for public education on consumer fraud. However,
 2 23 if the funds received as a result of these judgments and
 2 24 settlements are in excess of \$1,200,000, the excess funds
 2 25 shall not be appropriated to the department of justice
 2 26 pursuant to this subsection. The department of justice shall
 2 27 report to the cochairpersons and ranking members of the joint

Contingent General Fund appropriation to the Department of Justice
 for consumer education and the enforcement of consumer fraud law.
 The appropriation is contingent upon the receipt of damages due to
 consumer fraud lawsuits and is limited to \$1,200,000. Of this amount,
 \$1,125,000 is to be used for public education and enforcement
 purposes, and \$75,000 is to be used for investigation, prosecution,
 and consumer education relating to fraud against older Iowans.
 Requires the Department of Justice to report the Department's actual
 costs and an estimate of the time incurred for education and
 enforcement of consumer fraud law to the Chairpersons and Ranking
 Members of the Justice System Appropriations Subcommittee and the
 LFB by November 15, 2003.

DETAIL: Maintains the current level of contingent funding.

2 28 appropriations subcommittee on the justice system, and to the
2 29 legislative fiscal bureau by November 15, 2003, the
2 30 department's actual costs and an estimate of the time incurred
2 31 in providing education pursuant to and enforcing this
2 32 subsection.

2 33 4. a. The funds used for victim assistance grants shall
2 34 be used to provide grants to care providers providing services
2 35 to crime victims of domestic abuse or to crime victims of rape
3 1 and sexual assault.

Requires that the Victim Assistance Funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

3 2 b. The balance of the victim compensation fund established
3 3 in section 915.94 may be used to provide salary and support of
3 4 not more than 22 FTEs and to provide maintenance for the
3 5 victim compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice. This is no change compared to the FY 2003 estimated net appropriation.

3 6 5. The department of justice shall submit monthly
3 7 financial statements to the legislative fiscal bureau and the
3 8 department of management containing all appropriated accounts
3 9 in the same manner as provided in the monthly financial status
3 10 reports and personal services usage reports of the department
3 11 of revenue and finance. The monthly financial statements
3 12 shall include comparisons of the moneys and percentage spent
3 13 of budgeted to actual revenues and expenditures on a
3 14 cumulative basis for full-time equivalent positions and
3 15 available moneys.

Requires the Department of Justice to submit monthly financial statements on all appropriated accounts to the LFB and the Department of Management (DOM). Specifies information to be included in the financial statements.

3 16 6. a. The department of justice, in submitting budget
3 17 estimates for the fiscal year commencing July 1, 2004,
3 18 pursuant to section 8.23, shall include a report of funding
3 19 from sources other than amounts appropriated directly from the
3 20 general fund of the state to the department of justice or to
3 21 the office of consumer advocate. These funding sources shall
3 22 include, but are not limited to, reimbursements from other
3 23 state agencies, commissions, boards, or similar entities, and

Requires the Department of Justice, in submitting FY 2005 budget estimates, to submit a report to the DOM that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2003 and FY 2004.

3 24 reimbursements from special funds or internal accounts within
3 25 the department of justice. The department of justice shall
3 26 report actual reimbursements for the fiscal year commencing
3 27 July 1, 2002, and actual and expected reimbursements for the
3 28 fiscal year commencing July 1, 2003.

3 29 b. The department of justice shall include the report
3 30 required under paragraph "a", as well as information regarding
3 31 any revisions occurring as a result of reimbursements actually
3 32 received or expected at a later date, in a report to the co-
3 33 chairpersons and ranking members of the joint appropriations
3 34 subcommittee on the justice system and the legislative fiscal
3 35 bureau. The department of justice shall submit the report on
4 1 or before January 15, 2004.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2004.

4 2 7. As a condition for accepting a grant for legal services
4 3 for persons in poverty funded pursuant to section 13.34, an
4 4 organization receiving a grant shall submit a report to the
4 5 general assembly by January 1, 2004, concerning the use of any
4 6 grants received during the previous fiscal year and efforts
4 7 made by the organization to find alternative sources of
4 8 revenue to replace any reductions in federal funding for the
4 9 organization.

Requires organizations receiving grants to report to the General Assembly by January 1, 2004, concerning grants received in FY 2003 and efforts to obtain alternative funding.

4 10 8. The department of justice and the department of revenue
4 11 and finance shall, in consultation with one another, issue a
4 12 request for information from private sector collection
4 13 agencies, concerning the use of such agencies for the
4 14 collection of fines, fees, surcharges, and court costs which
4 15 are delinquent more than one year. The department of justice
4 16 and the department of revenue and finance shall submit a
4 17 report regarding the request for information by December 15,
4 18 2003, for consideration by the general assembly in 2004.

Requires the Department of Justice and the Department of Revenue and Finance to issue a request for information from private sector collection agencies regarding the collection of fines, fees, surcharges, and court costs that are delinquent more than one year. Requires the Departments to submit a report to the General Assembly by December 15, 2003, regarding the results of the request for information.

4 19 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES

Contingent appropriation from the Environmental Crime Fund of up to

4 20 INVESTIGATION AND PROSECUTION -- FUNDING. There is
4 21 appropriated from the environmental crime fund of the
4 22 department of justice, consisting of court-ordered fines and
4 23 penalties awarded to the department arising out of the
4 24 prosecution of environmental crimes, to the department of
4 25 justice for the fiscal year beginning July 1, 2003, and ending
4 26 June 30, 2004, an amount not exceeding \$20,000 to be used by
4 27 the department, at the discretion of the attorney general, for
4 28 the investigation and prosecution of environmental crimes,
4 29 including the reimbursement of expenses incurred by county,
4 30 municipal, and other local governmental agencies cooperating
4 31 with the department in the investigation and prosecution of
4 32 environmental crimes.
4 33 The funds appropriated in this section are contingent upon
4 34 receipt by the environmental crime fund of the department of
4 35 justice of an amount at least equal to the appropriations made
5 1 in this section and received from contributions, court-ordered
5 2 restitution as part of judgments in criminal cases, and
5 3 consent decrees entered into as part of civil or regulatory
5 4 enforcement actions. However, if the funds received during
5 5 the fiscal year are in excess of \$20,000, the excess funds
5 6 shall be deposited in the general fund of the state.

5 7 Notwithstanding section 8.33, moneys appropriated in this
5 8 section that remain unexpended or unobligated at the close of
5 9 the fiscal year shall not revert but shall remain available
5 10 for expenditure for the purpose designated until the close of
5 11 the succeeding fiscal year.

5 12 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
5 13 appropriated from the general fund of the state to the office
5 14 of consumer advocate of the department of justice for the
5 15 fiscal year beginning July 1, 2003, and ending June 30, 2004,
5 16 the following amount, or so much thereof as is necessary, to
5 17 be used for the purposes designated:
5 18 For salaries, support, maintenance, miscellaneous purposes,

\$20,000 to the Department of Justice. The appropriation is contingent upon receipt of contributions, court-ordered restitution, and consent decrees as a part of civil or regulatory enforcement actions. The funds are to be used for the investigation and prosecution of environmental crimes.

DETAIL: Maintains current level of contingent funding.

CODE: Allows any ending balance of the contingent appropriation to carry forward to the next fiscal year

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: This is an increase of \$55,438 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$55,438 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.

5 19 and for not more than the following full-time equivalent
 5 20 positions:
 5 21 \$ 2,750,386
 5 22 FTEs 27.00

5 23 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES.

5 24 1. There is appropriated from the general fund of the
 5 25 state to the department of corrections for the fiscal year
 5 26 beginning July 1, 2003, and ending June 30, 2004, the
 5 27 following amounts, or so much thereof as is necessary, to be
 5 28 used for the purposes designated:
 5 29 For the operation of adult correctional institutions,
 5 30 reimbursement of counties for certain confinement costs, and
 5 31 federal prison reimbursement, to be allocated as follows:

5 32 a. For the operation of the Fort Madison correctional
 5 33 facility, including salaries, support, maintenance, employment
 5 34 of correctional officers, miscellaneous purposes, and for not
 5 35 more than the following full-time equivalent positions:
 6 1 \$ 35,673,163
 6 2 FTEs 576.50

General Fund appropriation to the Department of Corrections (DOC)
 for the Fort Madison Correctional Facility.

DETAIL: This is an increase of \$2,504,558 and 22.44 FTE positions
 compared to the FY 2003 estimated net General Fund appropriation.
 This is a decrease of \$512,137 in other funds for FY 2004 compared
 to the FY 2003 estimated net appropriation for the elimination of one-
 time salary funding. The change includes:

- An increase of \$512,137 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$181,482 for increased city sewer rates, increased county landfill charges, and to connect Farm One to the city sewer system.
- An increase of \$2,145,167 and 30.94 FTE positions to annualize the operating costs of the new, 200-bed Clinical Care Unit. The FY 2003 funding was based on opening the facility in three phases. During FY 2004, all 200 beds will be in use for the entire year.
- A decrease of \$334,228 and 8.50 FTE positions to reflect the staff savings associated with installing a perimeter fence. The

6 3 b. For the operation of the Anamosa correctional facility,
 6 4 including salaries, support, maintenance, employment of
 6 5 correctional officers and a part-time chaplain to provide
 6 6 religious counseling to inmates of a minority race,
 6 7 miscellaneous purposes, and for not more than the following
 6 8 full-time equivalent positions:
 6 9 \$ 24,531,917
 6 10 FTEs 375.75

fence was installed midway through FY 2003, and the FY 2003 appropriation was reduced for six months of savings. The FY 2004 appropriation annualizes the savings associated with the fence.

House File 685 (FY 2004 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides an additional \$1,100,000 and 17.87 FTE positions for the Clinical Care Unit. This appropriation provides seven months of operating funds for 80 beds.

General Fund appropriation to the DOC for the Anamosa Correctional Facility.

DETAIL: This is an increase of \$145,288 and a decrease of 4.00 FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$306,744 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$306,744 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- A decrease of \$161,456 and 4.00 FTE positions to reflect staff savings associated with installing a perimeter fence. The fence was installed midway through FY 2003, and the FY 2003 appropriation was reduced for six months of savings. The FY 2004 appropriation annualizes the savings associated with the fence.

House File 683 (FY 2004 Grow Iowa Values Fund Act) appropriates \$92,000 from the Rebuild Iowa Infrastructure Fund (RIIF) to the Department of Corrections (DOC) for renovation of the Luster Heights Prison Camp. The renovation includes upgrading the sewer lagoon and water system to add 38 minimum-security beds at the Luster Heights Prison Camp. Upon completion of the renovation, designed capacity at the Camp will be increased. The designed capacity of the Camp is being determined in cooperation with staff of the Central Office, Anamosa State Penitentiary, and the First Judicial District Department of Correctional Services.

House File 683 also increases the General Fund allocation to the

6 11 Moneys are provided within this appropriation for one full-
 6 12 time substance abuse counselor for the Luster Heights
 6 13 facility, for the purpose of certification of a substance
 6 14 abuse program at that facility.

6 15 c. For the operation of the Oakdale correctional facility,
 6 16 including salaries, support, maintenance, employment of
 6 17 correctional officers, miscellaneous purposes, and for not
 6 18 more than the following full-time equivalent positions:
 6 19 \$ 22,107,007
 6 20 FTEs 326.50

6 21 d. For the operation of the Newton correctional facility,
 6 22 including salaries, support, maintenance, employment of
 6 23 correctional officers, miscellaneous purposes, and for not
 6 24 more than the following full-time equivalent positions:
 6 25 \$ 22,865,691
 6 26 FTEs 371.25

Anamosa State Penitentiary by \$664,168 and 9.50 FTE positions to operate the additional 38 minimum-security beds at the Luster Heights Camp. The appropriation provides a full year of funding for the additional beds. The FTE positions include: 1.00 Security Manager, 1.00 Corrections Trades Leader, 1.00 Corrections Food Service Coordinator, 3.00 Counselors, 3.00 Correctional Officers, and 0.50 Nurse.

Specifies that funds be provided for one substance abuse counselor to be employed at the Luster Heights Facility.

General Fund appropriation to the DOC for the Oakdale Correctional Facility.

DETAIL: This is an increase of \$609,644 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$290,583 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$290,583 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$319,061 to pay water rates to connect to the City of Coralville water line and tower.

General Fund appropriation to the DOC for the Newton Correctional Facility.

DETAIL: This is an increase of \$363,800 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$363,800 of other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.

House File 685 (FY 2004 Healthy Iowans Tobacco Trust Fund

6 27 e. For the operation of the Mt. Pleasant correctional
 6 28 facility, including salaries, support, maintenance, employment
 6 29 of correctional officers and a full-time chaplain to provide
 6 30 religious counseling at the Oakdale and Mt. Pleasant
 6 31 correctional facilities, miscellaneous purposes, and for not
 6 32 more than the following full-time equivalent positions:
 6 33 \$ 21,329,386
 6 34 FTEs 327.06

Appropriations Act) provides \$310,000 for a value-based treatment program at the Newton Correctional Facility. The Act permits a portion of these funds to be used to establish a similar program at the Iowa Correctional Institution for Women at Mitchellville.

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is an increase of \$168,253 and a decrease of 4.00 FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$329,709 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$329,709 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- A decrease of \$161,456 and 4.00 FTE positions to reflect staff savings associated with installing a perimeter fence. The fence was installed midway through FY 2003, and the FY 2003 appropriation was reduced for six months of savings. The FY 2004 appropriation annualizes the savings associated with the fence.

6 35 f. For the operation of the Rockwell City correctional
 7 1 facility, including salaries, support, maintenance, employment
 7 2 of correctional officers, miscellaneous purposes, and for not
 7 3 more than the following full-time equivalent positions:
 7 4 \$ 7,383,506
 7 5 FTEs 110.00

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is an increase of \$115,457 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$115,457 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.

7 6 g. For the operation of the Clarinda correctional
 7 7 facility, including salaries, support, maintenance, employment
 7 8 of correctional officers, miscellaneous purposes, and for not
 7 9 more than the following full-time equivalent positions:

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is an increase of \$269,482 and no change in FTE positions compared to the FY 2003 estimated net General Fund

7 10 \$ 18,595,788
 7 11 FTEs 291.76

appropriation. This is a decrease of \$269,482 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.

House File 683 (FY 2004 Grow Iowa Values Fund Act) appropriates \$730,400 from the RIIF to the DOC for renovation of an employee lodge at the Clarinda Correctional Facility. The renovation includes converting the lodge to house 225 minimum-security beds. The renovation is expected to require 10 months. Employees of the Department of Human Services (DHS) currently rent the lodge. Rent receipts are approximately \$35,000 annually. Housing inmates in the building will eliminate the receipts from the DHS budget.

House File 683 also increases the General Fund allocation to the Clarinda Correctional Facility to add \$793,432 and 12.82 FTE positions to operate the additional 225 minimum-security beds. The allocation provides one-time costs of \$277,500 and two months of funding (May and June) in FY 2004 for operating the additional beds. The FY 2005 costs are anticipated to be an additional \$2,428,672 and 42.93 FTE positions to annualize the operating costs (provide 10 months of additional funding). The FTE positions include: 30.00 Correctional Officers, 5.00 Nurses, 5.00 Senior Correctional Officers, 3.00 Counselors, and additional support positions.

7 12 Moneys received by the department of corrections as
 7 13 reimbursement for services provided to the Clarinda youth
 7 14 corporation are appropriated to the department and shall be
 7 15 used for the purpose of operating the Clarinda correctional
 7 16 facility.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,100,000.

7 17 h. For the operation of the Mitchellville correctional
 7 18 facility, including salaries, support, maintenance, employment
 7 19 of correctional officers, miscellaneous purposes, and for not
 7 20 more than the following full-time equivalent positions:
 7 21 \$ 12,260,590

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is an increase of \$236,174 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$236,174 in other funds in FY

7 22	FTEs 216.00	2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.
7 23 i. For the operation of the Fort Dodge correctional		
7 24 facility, including salaries, support, maintenance, employment		General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.
7 25 of correctional officers, miscellaneous purposes, and for not		
7 26 more than the following full-time equivalent positions:		DETAIL: This is an increase of \$394,742 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$394,742 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.
7 27	\$ 24,693,949	
7 28	FTEs 394.00	
7 29 j. For reimbursement of counties for temporary confinement		General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearing.
7 30 of work release and parole violators, as provided in sections		
7 31 901.7, 904.908, and 906.17 and for offenders confined pursuant		
7 32 to section 904.513:		DETAIL: Maintains the current level of General Fund support.
7 33	\$ 674,954	
7 34 k. For federal prison reimbursement, reimbursements for		General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.
7 35 out-of-state placements, and miscellaneous contracts:		
8 1	\$ 241,293	DETAIL: Maintains the current level of General Fund support.
8 2 The department of corrections shall use funds appropriated		Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.
8 3 in this subsection to continue to contract for the services of		
8 4 a Muslim imam.		DETAIL: This contract is required pursuant to a federal court order.
8 5 2. a. If the inmate tort claim fund for inmate claims of		CODE: Specifies that the Inmate Tort Claim Fund that pays for inmate tort claims of less than \$100.00 against the State not revert to the General Fund.
8 6 less than \$100 is exhausted during the fiscal year, sufficient		
8 7 funds shall be transferred from the institutional budgets to		
8 8 pay approved tort claims for the balance of the fiscal year.		Requires shortfalls to be paid from the Institutions' budgets. Denied claims are to be forwarded to the State Appeal Board for
8 9 The warden or superintendent of each institution or		

8 10 correctional facility shall designate an employee to receive,
 8 11 investigate, and recommend whether to pay any properly filed
 8 12 inmate tort claim for less than the above amount. The
 8 13 designee's recommendation shall be approved or denied by the
 8 14 warden or superintendent and forwarded to the department of
 8 15 corrections for final approval and payment. The amounts
 8 16 appropriated to this fund pursuant to 1987 Iowa Acts, chapter
 8 17 234, section 304, subsection 2, are not subject to reversion
 8 18 under section 8.33.
 8 19 b. Tort claims denied at the institution shall be
 8 20 forwarded to the state appeal board for their consideration as
 8 21 if originally filed with that body. This procedure shall be
 8 22 used in lieu of chapter 669 for inmate tort claims of less
 8 23 than \$100.

consideration.

8 24 3. It is the intent of the general assembly that the
 8 25 department of corrections shall timely fill correctional
 8 26 positions authorized for correctional facilities pursuant to
 8 27 this section.

Specifies that it is the intent of the General Assembly that the DOC fill positions in a timely manner.

8 28 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.

8 29 1. There is appropriated from the general fund of the
 8 30 state to the department of corrections for the fiscal year
 8 31 beginning July 1, 2003, and ending June 30, 2004, the
 8 32 following amounts, or so much thereof as is necessary, to be
 8 33 used for the purposes designated:

8 34 a. For general administration, including salaries,
 8 35 support, maintenance, employment of an education director and
 9 1 clerk to administer a centralized education program for the
 9 2 correctional system, miscellaneous purposes, and for not more
 9 3 than the following full-time equivalent positions:
 9 4 \$ 2,713,159
 9 5 FTEs 42.18

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is an increase of \$46,935 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$46,935 in other funds compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.

9 6 (1) The department shall monitor the use of the
9 7 classification model by the judicial district departments of
9 8 correctional services and has the authority to override a
9 9 district department's decision regarding classification of
9 10 community-based clients. The department shall notify a
9 11 district department of the reasons for the override.

Requires the DOC to monitor the Community-Based Corrections (CBC) District Departments' use of the risk/needs assessment model, and permits the DOC to override a District Department's classification, upon notice to the District Department.

9 12 (2) It is the intent of the general assembly that as a
9 13 condition of receiving the appropriation provided in this
9 14 paragraph, the department of corrections shall not, except as
9 15 otherwise provided in subparagraph (3), enter into a new
9 16 contract, unless the contract is a renewal of an existing
9 17 contract, for the expenditure of moneys in excess of \$100,000
9 18 during the fiscal year beginning July 1, 2003, for the
9 19 privatization of services performed by the department using
9 20 state employees as of July 1, 2003, or for the privatization
9 21 of new services by the department, without prior consultation
9 22 with any applicable state employee organization affected by
9 23 the proposed new contract and prior notification of the
9 24 cochairpersons and ranking members of the joint appropriations
9 25 subcommittee on the justice system.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a contract in excess of \$100,000 for privatized services during FY 2004 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee. Existing contracts may be renewed without notification.

9 26 (3) It is the intent of the general assembly that each
9 27 lease negotiated by the department of corrections with a
9 28 private corporation for the purpose of providing private
9 29 industry employment of inmates in a correctional institution
9 30 shall prohibit the private corporation from utilizing inmate
9 31 labor for partisan political purposes for any person seeking
9 32 election to public office in this state and that a violation
9 33 of this requirement shall result in a termination of the lease
9 34 agreement.

Specifies that it is the intent of the General Assembly that the DOC shall prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

9 35 (4) It is the intent of the general assembly that as a
10 1 condition of receiving the appropriation provided in this
10 2 paragraph, the department of corrections shall not enter into

Specifies that it is the intent of the General Assembly that, as a condition of receiving the appropriated funds, the DOC, when contracting with a private business for inmate employment, shall

10 3 a lease or contractual agreement pursuant to section 904.809
 10 4 with a private corporation for the use of building space for
 10 5 the purpose of providing inmate employment without providing
 10 6 that the terms of the lease or contract establish safeguards
 10 7 to restrict, to the greatest extent feasible, access by
 10 8 inmates working for the private corporation to personal
 10 9 identifying information of citizens.

restrict inmates' access to citizens' personal identifying information.

10 10 b. For educational programs for inmates at state penal
 10 11 institutions:
 10 12 \$ 1,000,000

General Fund appropriation to the DOC for educational programs for inmates.

DETAIL: This is an increase of \$900,000 compared to the FY 2003 estimated net General Fund appropriation. The DOC contracts with local community colleges to provide education to inmates.

10 13 It is the intent of the general assembly that moneys
 10 14 appropriated in this paragraph shall be used solely for the
 10 15 purpose indicated and that the moneys shall not be transferred
 10 16 for any other purpose. In addition, it is the intent of the
 10 17 general assembly that the department shall consult with the
 10 18 community colleges in the areas in which the institutions are
 10 19 located to utilize moneys appropriated in this subsection to
 10 20 fund the high school completion, high school equivalency
 10 21 diploma, adult literacy, and adult basic education programs in
 10 22 a manner so as to maintain these programs at the institutions.

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

10 23 To maximize the funding for educational programs, the
 10 24 department shall establish guidelines and procedures to
 10 25 prioritize the availability of educational and vocational
 10 26 training for inmates based upon the goal of facilitating an
 10 27 inmate's successful release from the correctional institution.
 10 28 The director of the department of corrections may transfer
 10 29 moneys from Iowa prison industries for use in educational
 10 30 programs for inmates.

CODE: Requires that unexpended and unobligated educational program funds not revert to the General Fund but remain available in FY 2005 only for the specified purposes.

10 31 Notwithstanding section 8.33, moneys appropriated in this
 10 32 paragraph that remain unobligated or unexpended at the close
 10 33 of the fiscal year shall not revert but shall remain available

10 34 for expenditure only for the purpose designated in this
10 35 paragraph until the close of the succeeding fiscal year.

11 1 c. For the development of the Iowa corrections offender
11 2 network (ICON) data system:
11 3 \$ 427,700

General Fund appropriation to the DOC for the Iowa Corrections
Offender Network (ICON).

DETAIL: Maintains the current level of General Fund support.

11 4 2. The department of corrections shall submit a report to
11 5 the cochairpersons and ranking members of the joint
11 6 appropriations subcommittee on the justice system and the
11 7 legislative fiscal bureau, on or before January 15, 2004,
11 8 concerning the development and implementation of the Iowa
11 9 corrections offender network (ICON) data system.

Requires the DOC to report to the Chairpersons and Ranking
Members of the Justice System Appropriations Subcommittee and the
LFB by January 15, 2004, concerning the development and
implementation of the ICON.

11 10 3. It is the intent of the general assembly that the
11 11 department of corrections shall continue to operate the
11 12 correctional farms under the control of the department at the
11 13 same or greater level of participation and involvement as
11 14 existed as of January 1, 2003, shall not enter into any rental
11 15 agreement or contract concerning any farmland under the
11 16 control of the department that is not subject to a rental
11 17 agreement or contract as of January 1, 2003, without prior
11 18 legislative approval, and shall further attempt to provide job
11 19 opportunities at the farms for inmates. The department shall
11 20 attempt to provide job opportunities at the farms for inmates
11 21 by encouraging labor-intensive farming or gardening where
11 22 appropriate, using inmates to grow produce and meat for
11 23 institutional consumption, researching the possibility of
11 24 instituting food canning and cook-and-chill operations, and
11 25 exploring opportunities for organic farming and gardening,
11 26 livestock ventures, horticulture, and specialized crops.

Specifies that it is the intent of the General Assembly that the DOC
continue farm operations at the same or greater level as existed on
January 1, 2003. The DOC is prohibited from renting farmland under
the control of the DOC that is not currently being rented without
legislative approval. The DOC is to provide meaningful job
opportunities for inmates employed on the farms.

11 27 4. The department shall work to increase produce gardening
11 28 by inmates under the control of the correctional institutions,

Requires the DOC to increase produce gardening by inmates and, if
appropriate, permits the DOC to use the central distribution network at

11 29 and, if appropriate, may use the central distribution network
11 30 at the Woodward state resource center. The department shall
11 31 file a report with the cochairpersons and ranking members of
11 32 the joint appropriations subcommittee on the justice system by
11 33 December 1, 2003, regarding the feasibility of expanding the
11 34 number of acres devoted to organic gardening and to the
11 35 growing of organic produce for sale.

the Woodward State Resource Center. Requires the DOC to file a report with the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee by December 1, 2003, regarding the feasibility of expanding the number of acres devoted to organic gardening and to growing organic produce for sale.

12 1 5. The department of corrections shall submit a report to
12 2 the general assembly by January 1, 2004, concerning moneys
12 3 recouped from inmate earnings for the reimbursement of
12 4 operational expenses of the applicable facility during the
12 5 fiscal year beginning July 1, 2002, for each correctional
12 6 institution and judicial district department of correctional
12 7 services. In addition, each correctional institution and
12 8 judicial district department of correctional services shall
12 9 continue to submit a report to the legislative fiscal bureau
12 10 on a monthly basis concerning moneys recouped from inmate
12 11 earnings pursuant to sections 904.702, 904.809, and 905.14.

Requires the DOC to submit a report to the General Assembly by January 1, 2004, concerning the FY 2003 revenues recouped from inmate earnings for operational expenses for each prison and CBC District Department. Each prison and CBC District Department is required to submit monthly reports to the LFB concerning funds recovered from offenders for inmate deductions, private sector employment of inmates, and enrollment fees.

12 12 6. The department of corrections, in cooperation with the
12 13 judicial district departments of correctional services, shall
12 14 develop an agency strategic plan as required by section
12 15 8E.204. The plan shall consist of outcome measures for all
12 16 treatment programs, including but not limited to successful
12 17 completion and return rates, and cost per offender treated.
12 18 The plan shall also include a brief description for each
12 19 program offered within each judicial district department, the
12 20 goals for each program, the program capacity, and the funding
12 21 source of the program. The plan shall further include the
12 22 level and sublevel classifications for each program on the
12 23 corrections continuum in Code chapter 901B. The department
12 24 and the judicial district departments of correctional services
12 25 shall file a report by December 15, 2003, with the
12 26 cochairpersons and ranking members of the joint appropriations
12 27 subcommittee on the justice system, and to the legislative

Requires the DOC, in cooperation with the CBC District Departments, to develop an agency strategic plan as required by statute. Specifies the content of the strategic plan. Requires the DOC and CBC District Departments to file a report by December 15, 2003, with the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee detailing the agency strategic plan.

12 28 fiscal bureau, detailing the agency strategic plan.

12 29 7. Notwithstanding the number of full-time equivalent
 12 30 positions authorized for the department of corrections, the
 12 31 department may employ more than the number of full-time
 12 32 equivalent positions as necessary to alleviate staff shortages
 12 33 caused by members of the Iowa national guard or armed forces
 12 34 reserve units being called up for active duty.

CODE: Allows the DOC to exceed the FTE limitation as necessary to alleviate staff shortages caused by members of the Iowa National Guard or Reserves units being called to active military duty.

12 35 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 13 1 SERVICES.

13 2 1. There is appropriated from the general fund of the
 13 3 state to the department of corrections for the fiscal year
 13 4 beginning July 1, 2003, and ending June 30, 2004, the
 13 5 following amounts, or so much thereof as is necessary, to be
 13 6 allocated as follows:

13 7 a. For the first judicial district department of
 13 8 correctional services, including the treatment and supervision
 13 9 of probation and parole violators who have been released from
 13 10 the department of corrections violator program, the following
 13 11 amount, or so much thereof as is necessary:
 13 12 \$ 9,282,883

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$329,088 and 1.00 FTE position compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$178,088 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$178,088 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$151,000 to partially fund the FY 2003 salary adjustment shortfall.
- An increase of 1.00 FTE position funded from federal funds for the supervision of sex offenders in rural areas.

13 13 b. For the second judicial district department of

General Fund appropriation to the DOC for the Second CBC District

13 14 correctional services, including the treatment and supervision
 13 15 of probation and parole violators who have been released from
 13 16 the department of corrections violator program, the following
 13 17 amount, or so much thereof as is necessary:
 13 18 \$ 7,288,784

Department.

DETAIL: This is an increase of \$296,723 and 1.00 FTE position compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$160,723 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$160,723 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$136,000 to partially fund the FY 2003 salary adjustment shortfall.
- An increase of 1.00 FTE position funded from federal funds for the supervision of sex offenders in rural areas.

House File 685 (FY 2004 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides \$127,217 for a Day Program that includes 3.00 FTE positions.

13 19 c. For the third judicial district department of
 13 20 correctional services, including the treatment and supervision
 13 21 of probation and parole violators who have been released from
 13 22 the department of corrections violator program, the following
 13 23 amount, or so much thereof as is necessary:
 13 24 \$ 4,232,132

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$158,494 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$85,494 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$85,494 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$73,000 to partially fund the FY 2003 salary adjustment shortfall.

House File 685 (FY 2004 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides \$35,359 for a Drug Court that includes 1.00 FTE position.

13 25 d. For the fourth judicial district department of

General Fund appropriation to the DOC for the Fourth CBC District Department.

13 26 correctional services, including the treatment and supervision
 13 27 of probation and parole violators who have been released from
 13 28 the department of corrections violator program, the following
 13 29 amount, or so much thereof as is necessary:
 13 30 \$ 3,998,773

DETAIL: This is an increase of \$238,865 and 0.09 FTE position compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$81,865 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$81,865 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$78,000 to restore the FY 2003 furlough reduction.
- An increase of \$79,000 to partially fund the FY 2003 salary adjustment shortfall.
- An increase of 0.09 FTE position for a budget adjustment.

House File 685 (FY 2004 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides \$191,731 for a Drug Court that includes 3.50 FTE positions.

13 31 e. For the fifth judicial district department of
 13 32 correctional services, including the treatment and supervision
 13 33 of probation and parole violators who have been released from
 13 34 the department of corrections violator program, the following
 13 35 amount, or so much thereof as is necessary:
 14 1 \$ 12,129,142

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$712,768 and a decrease of 2.00 FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$243,768 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$243,768 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$234,000 to restore the FY 2003 furlough reduction.
- An increase of \$235,000 to partially fund the FY 2003 salary adjustment shortfall.
- A decrease of 2.00 FTE positions to eliminate unfunded positions.

House File 685 (FY 2004 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides \$255,693 for a Drug Court that includes 2.50 FTE positions.

14 2 f. For the sixth judicial district department of
 14 3 correctional services, including the treatment and supervision
 14 4 of probation and parole violators who have been released from
 14 5 the department of corrections violator program, the following
 14 6 amount, or so much thereof as is necessary:
 14 7 \$ 9,293,841

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$547,700 and a decrease of 3.00 FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$187,700 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$187,700 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$180,000 to restore the FY 2003 furlough reduction.
- An increase of \$180,000 to partially fund the FY 2003 salary adjustment shortfall.
- A decrease of 3.00 FTE positions to eliminate unfunded positions.

14 8 g. For the seventh judicial district department of
 14 9 correctional services, including the treatment and supervision
 14 10 of probation and parole violators who have been released from
 14 11 the department of corrections violator program, the following
 14 12 amount, or so much thereof as is necessary:
 14 13 \$ 5,231,406

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$231,257 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$61,257 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$61,257 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$108,000 to restore the FY 2003 furlough reduction.
- An increase of \$62,000 to partially fund the FY 2003 salary adjustment shortfall.

14 14 h. For the eighth judicial district department of
 14 15 correctional services, including the treatment and supervision
 14 16 of probation and parole violators who have been released from
 14 17 the department of corrections violator program, the following

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is an increase of \$183,328 and no change in FTE positions compared to the FY 2003 estimated net General Fund

14 18 amount, or so much thereof as is necessary:
 14 19 \$ 5,280,849

appropriation. This is a decrease of \$99,328 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination one-time salary funding. The change includes:

- An increase of \$99,328 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$84,000 to partially fund the FY 2003 salary adjustment shortfall.

14 20 2. Each judicial district department of correctional
 14 21 services, within the funding available, shall continue
 14 22 programs and plans established within that district to provide
 14 23 for intensive supervision, sex offender treatment, diversion
 14 24 of low-risk offenders to the least restrictive sanction
 14 25 available, job development, and expanded use of intermediate
 14 26 criminal sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

14 27 3. Each judicial district department of correctional
 14 28 services shall provide alternatives to prison consistent with
 14 29 chapter 901B. The alternatives to prison shall ensure public
 14 30 safety while providing maximum rehabilitation to the offender.
 14 31 A judicial district department may also establish a day
 14 32 program.

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.

14 33 4. The governor's office of drug control policy shall
 14 34 consider federal grants made to the department of corrections
 14 35 for the benefit of each of the eight judicial district
 15 1 departments of correctional services as local government
 15 2 grants, as defined pursuant to federal regulations.

Requires the Office of Drug Control Policy to consider grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

15 3 5. In addition to the requirements of section 8.39, the
 15 4 department of corrections shall not make an intradepartmental
 15 5 transfer of moneys appropriated to the department, unless
 15 6 notice of the intradepartmental transfer is given prior to its

Requires the DOC to notify the LFB prior to transferring funds between budget units. The DOC is required to explain why the transfer is needed, including workload and performance measures.

15 7 effective date to the legislative fiscal bureau. The notice
15 8 shall include information on the department's rationale for
15 9 making the transfer and details concerning the work load and
15 10 performance measures upon which the transfers are based.

15 11 Sec. 7. INTENT -- REPORTS.

15 12 1. It is the intent of the general assembly that each
15 13 correctional facility make all reasonable efforts to maintain
15 14 vocational education programs for inmates during the fiscal
15 15 year beginning July 1, 2003, and to identify available funding
15 16 sources to continue these programs. The department of
15 17 corrections shall submit a report to the general assembly by
15 18 January 1, 2004, concerning the efforts made by each
15 19 correctional facility in maintaining vocational education
15 20 programs for inmates.

Specifies that it is the intent of the General Assembly that the DOC make all reasonable efforts to maintain vocational education programs and seek additional funding to continue the programs. Requires the DOC to submit a report to the General Assembly by January 1, 2004, concerning efforts to maintain the vocational education program for inmates.

15 21 2. The department of corrections shall submit a report on
15 22 inmate labor to the general assembly, the cochairpersons, and
15 23 the ranking members of the joint appropriations subcommittee
15 24 on the justice system, and to the legislative fiscal bureau by
15 25 January 15, 2004. The report shall specifically address the
15 26 progress the department has made in implementing the
15 27 requirements of section 904.701, inmate labor on capital
15 28 improvement projects, community work crews, inmate produce
15 29 gardening, and private-sector employment.

Requires the DOC to submit a report to the General Assembly, Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LFB by January 15, 2004, regarding inmate labor. Specifies the content of the report.

15 30 3. Each month the department shall provide a status report
15 31 regarding private-sector employment to the legislative fiscal
15 32 bureau beginning on July 1, 2003. The report shall include
15 33 the number of offenders employed in the private sector, the
15 34 combined number of hours worked by the offenders, and the
15 35 total amount of allowances, and the distribution of allowances
16 1 pursuant to section 904.702, including any moneys deposited in
16 2 the general fund of the state.

Requires the DOC to provide a monthly status report to the LFB regarding private sector employment of inmates.

16 3 Sec. 8. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

16 4 1. As used in this section, unless the context otherwise
 16 5 requires, "state agency" means the government of the state of
 16 6 Iowa, including but not limited to all executive branch
 16 7 departments, agencies, boards, bureaus, and commissions, the
 16 8 judicial branch, the general assembly and all legislative
 16 9 agencies, institutions within the purview of the state board
 16 10 of regents, and any corporation whose primary function is to
 16 11 act as an instrumentality of the state.

16 12 2. State agencies are hereby encouraged to purchase
 16 13 products from Iowa state industries, as defined in section
 16 14 904.802, when purchases are required and the products are
 16 15 available from Iowa state industries. State agencies shall
 16 16 obtain bids from Iowa state industries for purchases of office
 16 17 furniture exceeding \$5,000 or in accordance with applicable
 16 18 administrative rules related to purchases for the agency.

16 19 Sec. 9. STATE PUBLIC DEFENDER. There is appropriated from
 16 20 the general fund of the state to the office of the state
 16 21 public defender of the department of inspections and appeals
 16 22 for the fiscal year beginning July 1, 2003, and ending June
 16 23 30, 2004, the following amounts, or so much thereof as is
 16 24 necessary, to be allocated as follows for the purposes
 16 25 designated:

16 26 1. For salaries, support, maintenance, and miscellaneous
 16 27 purposes, and for not more than the following full-time
 16 28 equivalent positions:
 16 29 \$ 16,330,999
 16 30 FTEs 202.00

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000.

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: This is an increase of \$946,232 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$229,898 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$229,898 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$716,334 to fully fund all currently authorized

positions in the Office to avoid increased costs to the Indigent Defense Program.

16 31 2. For the fees of court-appointed attorneys for indigent
16 32 adults and juveniles, in accordance with section 232.141 and
16 33 chapter 815:
16 34 \$ 19,851,587

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: This is a decrease of \$585,999 compared to the FY 2003 estimated net General Fund appropriation. The decrease reflects the savings associated with filling all currently authorized FTE positions in the Office of the State Public Defender.

16 35 The office of the state public defender may reallocate the
17 1 moneys appropriated in this section if the legislative fiscal
17 2 bureau and the department of management are notified prior to
17 3 the reallocation.

Permits the State Public Defender to reallocate funds between the Office of the State Public Defender and the Indigent Defense Program if notice is given to the LFB and the DOM prior to the reallocation.

17 4 The state public defender's office shall, in consultation
17 5 with the indigent defense advisory commission, the judicial
17 6 branch, the Iowa state bar association, and other interested
17 7 parties, file a report detailing how efficiency and cost
17 8 savings measures can be achieved within the state public
17 9 defender's office. The report shall be filed with the general
17 10 assembly by December 15, 2003. The report shall include a
17 11 review of the federal guidelines for appointing an attorney
17 12 for an indigent defendant in federal court, make
17 13 recommendations for changes to the definition of "indigent"
17 14 for the purposes of appointing an attorney in state court,
17 15 make recommendations on methods which can be used for
17 16 recouping delinquent indigent defense fees, court costs,
17 17 surcharges, fines, and other fees, and detail the office's
17 18 cost containment efforts, and measurements of performance and
17 19 performance-based budgeting.

Requires the Office of the State Public Defender to consult with the Indigent Defense Advisory Commission, the Judicial Branch, the Iowa State Bar Association, and other interested parties, and to file a report regarding efficiency and cost saving measures that may be achieved within the Office. Requires the report to be filed by December 15, 2003, and specifies the contents of the report.

17 20 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.
17 21 1. There is appropriated from the general fund of the

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

17 22 state to the Iowa law enforcement academy for the fiscal year
 17 23 beginning July 1, 2003, and ending June 30, 2004, the
 17 24 following amount, or so much thereof as is necessary, to be
 17 25 used for the purposes designated:
 17 26 For salaries, support, maintenance, miscellaneous purposes,
 17 27 including jailer training and technical assistance, and for
 17 28 not more than the following full-time equivalent positions:
 17 29 \$ 1,002,629
 17 30 FTEs 30.05

DETAIL: This is an increase of \$27,103 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$27,103 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.

The Iowa Law Enforcement Academy received an additional appropriation of \$45,000 for operating expenses in SF 458 (FY 2004 Standing Appropriations, Salary Provisions, and Statutory Changes Act).

17 31 It is the intent of the general assembly that the Iowa law
 17 32 enforcement academy may provide training of state and local
 17 33 law enforcement personnel concerning the recognition of and
 17 34 response to persons with Alzheimer's disease.

Specifies that it is the intent of the General Assembly that the Iowa Law Enforcement Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

17 35 2. The Iowa law enforcement academy may select at least
 18 1 five automobiles of the department of public safety, division
 18 2 of the Iowa state patrol, prior to turning over the
 18 3 automobiles to the state fleet administrator to be disposed of
 18 4 by public auction and the Iowa law enforcement academy may
 18 5 exchange any automobile owned by the academy for each
 18 6 automobile selected if the selected automobile is used in
 18 7 training law enforcement officers at the academy. However,
 18 8 any automobile exchanged by the academy shall be substituted
 18 9 for the selected vehicle of the department of public safety
 18 10 and sold by public auction with the receipts being deposited
 18 11 in the depreciation fund to the credit of the department of
 18 12 public safety, division of the Iowa state patrol.

Allows the Iowa Law Enforcement Academy to annually select at least five vehicles being turned in to the State fleet administrator by the Department of Public Safety and exchange them for any of the Academy's training vehicles. The vehicles received by the Department of Public Safety from the Academy are to be sold at public auction. Requires the receipts be deposited into the depreciation fund used to purchase new vehicles for the Department of Public Safety.

18 13 Sec. 11. BOARD OF PAROLE. There is appropriated from the
 18 14 general fund of the state to the board of parole for the
 18 15 fiscal year beginning July 1, 2003, and ending June 30, 2004,
 18 16 the following amount, or so much thereof as is necessary, to

General Fund appropriation to the Board of Parole.

DETAIL: This is an increase of \$53,291 and 0.50 FTE position compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$5,036 in other funds for FY 2004 compared to

18 17 be used for the purposes designated:
 18 18 For salaries, support, maintenance, miscellaneous purposes,
 18 19 and for not more than the following full-time equivalent
 18 20 positions:
 18 21 \$ 1,015,780
 18 22 FTEs 16.50

the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$5,036 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- An increase of \$32,040 to fully fund a currently authorized Administrative Law Judge position.
- An increase of \$16,215 and 0.50 FTE position for a part-time Clerk Specialist position.

18 23 The board of parole shall make recommendations regarding
 18 24 options to improve the criminal justice system which shall
 18 25 ensure public safety while providing maximum rehabilitation to
 18 26 the offender. The board shall file a report detailing the
 18 27 recommendations with the cochairpersons and ranking members of
 18 28 the joint appropriations subcommittee on the justice system by
 18 29 December 15, 2003.

Requires the Board of Parole to make recommendations to improve the criminal justice system. Requires the Board to file a report detailing these recommendations with the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee by December 15, 2003.

18 30 Sec. 12. DEPARTMENT OF PUBLIC DEFENSE. There is
 18 31 appropriated from the general fund of the state to the
 18 32 department of public defense for the fiscal year beginning
 18 33 July 1, 2003, and ending June 30, 2004, the following amounts,
 18 34 or so much thereof as is necessary, to be used for the
 18 35 purposes designated:

19 1 1. MILITARY DIVISION
 19 2 For salaries, support, maintenance, miscellaneous purposes,
 19 3 and for not more than the following full-time equivalent
 19 4 positions:
 19 5 \$ 5,081,502
 19 6 FTEs 298.00

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is an increase of \$91,269 and 7.99 FTE positions compared to the FY 2003 estimated net General Fund appropriation. The FTE positions are funded by federal funds in the amount of \$428,046. This is a decrease of \$91,269 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for elimination of one-time salary funding.

19 7 If there is a surplus in the general fund of the state for

Allows the Military Division to incur a negative cash balance as long

19 8 the fiscal year ending June 30, 2004, within 60 days after the
 19 9 close of the fiscal year, the military division may incur up
 19 10 to an additional \$500,000 in expenditures from the surplus
 19 11 prior to transfer of the surplus pursuant to section 8.57.

as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement of eligible expenses. This authorization allows the Division to borrow State General Fund dollars to cover federal reimbursable expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that allows the State to receive an advance of federal funds in order to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

19 12 2. EMERGENCY MANAGEMENT DIVISION
 19 13 For salaries, support, maintenance, miscellaneous purposes,
 19 14 and for not more than the following full-time equivalent
 19 15 positions:
 19 16 \$ 1,060,492
 19 17 FTEs 25.25

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

DETAIL: This is an increase of \$9,505 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$9,505 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for elimination of one-time salary funding.

19 18 Sec. 13. IOWA COMMUNICATIONS NETWORK OPERATIONS.
 19 19 1. There is appropriated from the general fund of the
 19 20 state to the Iowa telecommunications and technology commission
 19 21 for the fiscal year beginning July 1, 2003, and ending June
 19 22 30, 2004, the following amount, or so much thereof as is
 19 23 necessary, to be used for the purposes designated in this
 19 24 subsection:
 19 25 For operations of the network consistent with chapter 8D
 19 26 and for the following full-time equivalent positions:
 19 27 \$ 500,000
 19 28 FTEs 105.10

General Fund appropriation to the Iowa Telecommunications and Technology Commission for network operations costs related to the production of interactive video.

DETAIL: This is a decrease of \$502,356 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. The funding decrease is due in part to the ICN attaining Common Carrier status as of December 2000. The ICN now has the ability to subsidize the General Fund appropriation with Universal Service Fund funding.

19 29 2. Notwithstanding section 8.33 or 8.39, moneys
 19 30 appropriated in this section which remain unobligated or

CODE: Allows funds that are unencumbered or unobligated at the end of FY 2003 to carry forward into FY 2004 for the purposes for

19 31 unexpended at the close of the fiscal year shall not revert
 19 32 but shall remain available for the purposes designated in the
 19 33 succeeding fiscal year, and shall not be transferred to any
 19 34 other program.

which they were appropriated.

19 35 3. It is the intent of the general assembly that the Iowa
 20 1 telecommunications and technology commission annually review
 20 2 the hourly rates established, as provided in section 8D.3,
 20 3 subsection 3, paragraph "i". Such rates shall be established
 20 4 in a manner to minimize any subsidy provided through state
 20 5 general fund appropriations.

Specifies the intent of the General Assembly that the Iowa Telecommunications and Technology Commission annually review the rates charged for services in order to minimize the need for State subsidization.

20 6 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
 20 7 appropriated from the general fund of the state to the
 20 8 department of public safety for the fiscal year beginning July
 20 9 1, 2003, and ending June 30, 2004, the following amounts, or
 20 10 so much thereof as is necessary, to be used for the purposes
 20 11 designated:

20 12 1. For the department's administrative functions,
 20 13 including the criminal justice information system, and for not
 20 14 more than the following full-time equivalent positions:
 20 15 \$ 2,377,580
 20 16 FTEs 38.50

General Fund appropriation to the Department of Public Safety for the Administrative Services Division.

DETAIL: This is a decrease of \$20,964 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. The Department requested a reduction in funding for the one-time supplemental appropriation to reduce furlough reductions in FY 2003. This is a decrease of \$23,222 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$23,222 to fund the FY 2003 salary adjustment from the General Fund for FY 2004.
- An increase of \$33,410 to restore the FY 2003 furlough reductions.
- A decrease of \$77,596 for the one-time FY 2003 supplemental appropriation to reduce furlough reductions in FY 2003.

20 17 The department shall study the security needs for the state
 20 18 criminalistics laboratory, the state hygienic laboratory, the
 20 19 department of agriculture and land stewardship laboratory, and
 20 20 the state medical examiner's office located on the Des Moines
 20 21 area community college's campus in Ankeny. The department
 20 22 shall file a report detailing the results of the department's
 20 23 study with the general assembly by December 15, 2003.

Requires the Department of Public Safety to submit a report to the General Assembly by December 15, 2003, detailing the results of the Department's study of security for the laboratory facility located at the Ankeny campus.

20 24 2. For the division of criminal investigation and bureau
 20 25 of identification including the state's contribution to the
 20 26 peace officers' retirement, accident, and disability system
 20 27 provided in chapter 97A in the amount of 17 percent of the
 20 28 salaries for which the funds are appropriated, to meet federal
 20 29 fund matching requirements, and for not more than the
 20 30 following full-time equivalent positions:
 20 31 \$ 12,863,855
 20 32 FTEs 230.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is an increase of \$363,969 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$274,737 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$274,737 to fund the FY 2003 salary adjustment from the General Fund for FY 2004.
- An increase of \$89, 232 to restore the FY 2003 furlough reductions.

20 33 The department of public safety, with the approval of the
 20 34 department of management, may employ no more than two special
 20 35 agents and four gaming enforcement officers for each
 21 1 additional riverboat regulated after July 1, 2003, and one
 21 2 special agent for each racing facility which becomes
 21 3 operational during the fiscal year which begins July 1, 2003.
 21 4 One additional gaming enforcement officer, up to a total of
 21 5 four per boat, may be employed for each riverboat that has
 21 6 extended operations to 24 hours and has not previously
 21 7 operated with a 24-hour schedule. Positions authorized in
 21 8 this paragraph are in addition to the full-time equivalent
 21 9 positions otherwise authorized in this subsection.

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming officers upon receiving approval from the DOM for new riverboats licensed after July 1, 2003, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2004.

21 10 3. a. For the division of narcotics enforcement,

General Fund appropriation to the Department of Public Safety for the

21 11 including the state's contribution to the peace officers'
 21 12 retirement, accident, and disability system provided in
 21 13 chapter 97A in the amount of 17 percent of the salaries for
 21 14 which the funds are appropriated, to meet federal fund
 21 15 matching requirements, and for not more than the following
 21 16 full-time equivalent positions:
 21 17 \$ 3,608,471
 21 18 FTEs 61.00

Narcotics Enforcement Division.

DETAIL: This is an increase of \$98,100 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$67,038 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$67,038 to fund the FY 2003 salary adjustment from the General Fund for FY 2004.
- An increase of \$31,062 to restore the FY 2003 furlough reductions.

21 19 b. For the division of narcotics enforcement for
 21 20 undercover purchases:
 21 21 \$ 123,343

General Fund appropriation to the Department of Public Safety for undercover purchases by the Division of Narcotics Enforcement.

DETAIL: Maintains current level of General Fund support.

21 22 4. a. For the state fire marshal's office, including the
 21 23 state's contribution to the peace officers' retirement,
 21 24 accident, and disability system provided in chapter 97A in the
 21 25 amount of 17 percent of the salaries for which the funds are
 21 26 appropriated, and for not more than the following full-time
 21 27 equivalent positions:
 21 28 \$ 1,818,352
 21 29 FTEs 40.00

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

DETAIL: This is a decrease of \$70,650 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$46,062 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$84,228 to fund the FY 2003 salary adjustment from the General Fund for FY 2004.
- A decrease of \$154,878 for the one-time supplemental appropriation to reduce furlough reductions in FY 2003.

21 30 b. For the state fire marshal's office, for fire
 21 31 protection services as provided through the state fire service
 21 32 and emergency response council as created in the department,
 21 33 and for not more than the following full-time equivalent

General Fund appropriation to the State Fire Marshal's Office for Fire Protection Services.

DETAIL: This is an increase of \$37,472 and no change in FTE positions compared to the FY 2003 estimated net General Fund

21 34 positions:
 21 35 \$ 595,619
 22 1 FTEs 12.00

appropriation. This is a decrease of \$25,632 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$25,632 to fund the FY 2003 salary adjustment from the General Fund for FY 2004.
- An increase of \$11,840 to restore the FY 2003 furlough reductions.

22 2 5. a. For the division of the Iowa state patrol of the
 22 3 department of public safety, for salaries, support,
 22 4 maintenance, workers' compensation costs, and miscellaneous
 22 5 purposes, including the state's contribution to the peace
 22 6 officers' retirement, accident, and disability system provided
 22 7 in chapter 97A in the amount of 17 percent of the salaries for
 22 8 which the funds are appropriated, and for not more than the
 22 9 following full-time equivalent positions:
 22 10 \$ 37,339,586
 22 11 FTEs 544.00

General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.

DETAIL: This is an increase of \$703,217 and 1.00 FTE position compared to the FY 2003 estimated net General Fund appropriation. The increase of 1.00 FTE position is for a federal safety grant program. This is a decrease of \$758,560 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$758,560 to fund the FY 2003 salary adjustment from the General Fund for FY 2004.
- A decrease of \$55,343 to restore the FY 2003 furlough reductions.

The General Assembly requested that the Department use \$281,320 from the State Asset Forfeiture Fund to fund salary expenditures. The General Assembly plans to use the receipt of \$1,200,000 in federal incentive money from the implementation of the 0.08 Blood Alcohol Concentration legislation in Iowa to fund State Patrol Trooper salaries. If these federal funds are not received, the Patrol will have to lay off approximately 20.00 FTE positions.

22 12 b. District 16, including the state's contribution to the
 22 13 peace officers' retirement, accident, and disability system
 22 14 provided in chapter 97A in the amount of 17 percent of the
 22 15 salaries for which the funds are appropriated and for not more
 22 16 than the following full-time equivalent positions:

General Fund appropriation for the Post 16 (Capitol Police) Division of the Iowa State Patrol.

DETAIL: This is an increase of \$51 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$51 in other funds for FY 2004 compared to the

PG LN	Senate File 439	Explanation
22 17 \$ 1,210,075	FY 2003 estimated net appropriation for the elimination of one-time salary funding.
22 18 FTEs 26.00	
22 19	6. For deposit in the public safety law enforcement sick	General Fund appropriation to create a non-reversionary fund in the Department of Public Safety to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement. DETAIL: This is a decrease of \$56,317 compared to the FY 2003 estimated net General Fund appropriation. The Department request for FY 2004 was below the FY 2003 General Fund appropriation level.
22 20	leave benefits fund established under section 80.42, for all	
22 21	departmental employees eligible to receive benefits for	
22 22	accrued sick leave under the collective bargaining agreement:	
22 23 \$ 216,104	
22 24	7. An employee of the department of public safety who	Allows employees of the Department of Public Safety that retire after July 1, 2003, but prior to June 30, 2004, to be eligible for insurance benefits as provided by the collective bargaining agreement. The employees must have previously served in positions that would have been covered by the agreement. This allows supervisors in the Department to keep benefits earned while under the collective bargaining contract.
22 25	retires after July 1, 2003, but prior to June 30, 2004, is	
22 26	eligible for payment of life or health insurance premiums as	
22 27	provided for in the collective bargaining agreement covering	
22 28	the public safety bargaining unit at the time of retirement if	
22 29	that employee previously served in a position which would have	
22 30	been covered by the agreement. The employee shall be given	
22 31	credit for the service in that prior position as though it	
22 32	were covered by that agreement. The provisions of this	
22 33	subsection shall not operate to reduce any retirement benefits	
22 34	an employee may have earned under other collective bargaining	
22 35	agreements or retirement programs.	
23 1	8. For costs associated with the training and equipment	General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training Grants.
23 2	needs of volunteer fire fighters and for not more than the	
23 3	following full-time equivalent position:	DETAIL: This is an increase of \$1,317 and no change in FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$1,317 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding.
23 4 \$ 544,587	
23 5 FTEs 1.00	
23 6	Notwithstanding section 8.33, moneys appropriated in this	CODE: Allows the balance remaining at the end of the fiscal year to

23 7 subsection that remain unobligated or unexpended at the close
 23 8 of the fiscal year shall not revert but shall remain available
 23 9 for expenditure only for the purpose designated in this
 23 10 subsection until the close of the succeeding fiscal year.

carry forward to the next fiscal year for fire fighter training grants.

23 11 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
 23 12 from the general fund of the state to the Iowa state civil
 23 13 rights commission for the fiscal year beginning July 1, 2003,
 23 14 and ending June 30, 2004, the following amount, or so much
 23 15 thereof as is necessary, to be used for the purposes
 23 16 designated:

23 17 For salaries, support, maintenance, miscellaneous purposes,
 23 18 and for not more than the following full-time equivalent
 23 19 positions:
 23 20 \$ 806,894
 23 21 FTEs 28.00

General Fund appropriation to the Civil Rights Commission.

DETAIL: This is a decrease of \$79,130 and 7.00 FTE positions compared to the FY 2003 estimated net General Fund appropriation. This is a decrease of \$20,870 in other funds for FY 2004 compared to the FY 2003 estimated net appropriation for the elimination of one-time salary funding. The change includes:

- An increase of \$20,870 to fund FY 2003 salary adjustment from the General Fund in FY 2004.
- A general decrease of \$100,000.
- A decrease of 7.00 FTE positions to eliminate unfunded positions.

23 22 If the anticipated amount of federal funding from the
 23 23 federal equal employment opportunity commission and the
 23 24 federal department of housing and urban development exceeds
 23 25 \$1,144,875 during the fiscal year beginning July 1, 2003, the
 23 26 Iowa state civil rights commission may exceed the staffing
 23 27 level authorized in this section to hire additional staff to
 23 28 process or to support the processing of employment and housing
 23 29 complaints during that fiscal year.

Permits the Civil Rights Commission to exceed the staffing level in this Act, if the additional positions are funded from federal funds.

23 30 The Iowa state civil rights commission may enter into a

Permits the Civil Rights Commission to contract with a nonprofit

23 31 contract with a nonprofit organization to provide legal
 23 32 assistance to resolve civil rights complaints.

organization to provide legal assistance to resolve civil rights complaints.

23 33 Sec. 16. Section 100B.9, unnumbered paragraph 1, Code
 23 34 2003, is amended to read as follows:

CODE: Extends the lease between Iowa State University and the Fire Service Training Bureau until July 1, 2010.

23 35 The building known as the fire service institute at Iowa
 24 1 state university, the land upon which the building is located,
 24 2 and parking space associated with the building shall, until
 24 3 July 1, ~~2003~~ 2010, be leased by Iowa state university to the
 24 4 department of public safety at a cost not to exceed the actual
 24 5 cost of heating, lighting, and maintaining the building and
 24 6 parking space. ~~In the event the department of public safety~~
 24 7 ~~locates suitable facilities prior to that time, the lease may~~
 24 8 ~~be terminated at the option of the department.~~ All equipment
 24 9 owned by Iowa state university and used exclusively to conduct
 24 10 fire service training, classes, or business shall transfer on
 24 11 July 1, 2000, to the department of public safety unless such
 24 12 transfer is prohibited or restricted by law or agreement.
 24 13 This equipment includes, but is not limited to, breathing
 24 14 apparatus, fire suppression gear, mobile equipment, office
 24 15 furniture, computers, copying machines, library, file
 24 16 cabinets, and training records.

24 17 Sec. 17. 1998 Iowa Acts, chapter 1101, section 15,
 24 18 subsection 2, as amended by 1999 Iowa Acts, chapter 202,
 24 19 section 25, as amended by 2000 Iowa Acts, chapter 1229,
 24 20 section 25, as amended by 2001 Iowa Acts, chapter 186, section
 24 21 21, and as amended by 2002 Iowa Acts, Second Extraordinary
 24 22 Session, chapter 1003, section 170, is amended to read as
 24 23 follows:

CODE: Permits continued funding from the Wireless E-911 Emergency Communications Fund for the Emergency Management Division, Department of Public Defense, through FY 2004.

24 24 2. a. There is appropriated from surcharge moneys
 24 25 received by the E911 administrator and deposited into the
 24 26 wireless E911 emergency communications fund, for each fiscal
 24 27 year in the fiscal period beginning July 1, 1998, and ending
 24 28 June 30, ~~2003~~ 2004, an amount not to exceed two hundred
 24 29 thousand dollars to be used for the implementation, support,

DETAIL: The Division receives up to \$200,000 for administration of the implementation of the wireless E-911 service.

24 30 and maintenance of the functions of the E911 administrator.
24 31 The amount appropriated in this paragraph includes any amounts
24 32 necessary to reimburse the division of emergency management of
24 33 the department of public defense pursuant to paragraph "b".
24 34 b. Notwithstanding the distribution formula in section
24 35 34A.7A, as enacted in this Act, and prior to any such
25 1 distribution, of the initial surcharge moneys received by the
25 2 E911 administrator and deposited into the wireless E911
25 3 emergency communications fund, for each fiscal year in the
25 4 fiscal period beginning July 1, 1998, and ending June 30, ~~2003~~
25 5 2004, an amount is appropriated to the division of emergency
25 6 management of the department of public defense as necessary to
25 7 reimburse the division for amounts expended for the
25 8 implementation, support, and maintenance of the E911
25 9 administrator, including the E911 administrator's salary.

25 10 Sec. 18. POSTING OF REPORTS IN ELECTRONIC FORMAT --
25 11 LEGISLATIVE FISCAL BUREAU. All reports or copies of reports
25 12 required to be provided in this Act for fiscal year 2003-2004
25 13 to the legislative fiscal bureau shall be provided in an
25 14 electronic format. The legislative fiscal bureau shall post
25 15 the reports on its internet site and shall notify by
25 16 electronic means all the members of the joint appropriations
25 17 subcommittee on the justice system when a report is posted.
25 18 Upon request, copies of the reports may be mailed to members
25 19 of the joint appropriations subcommittee on the justice
25 20 system.

Requires all reports required by this Act to be provided to the LFB in electronic format. The LFB will publish the reports on the LFB web site and notify the Justice System Appropriations Subcommittee members that the reports have been received and published.

25 21 Sec. 19. EFFECTIVE DATE. The section of this Act amending
25 22 1998 Iowa Acts, chapter 1101, being deemed of immediate
25 23 importance, takes effect upon enactment.

States that Section 17 of this Act authorizing continued funding from the Wireless E-911 Emergency Communications Fund takes effect upon enactment.